Docket No. 1878-4051

COMBINED DECLARATION AND POWER OF ATTOMINEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is

sought on the invention entitled: INSULIN AND IGF-1 RECEPTOR AGONISTS AND ANTAGONISTS the specification of which a. [] is attached hereto b. [x] was filed on March 29, 2000 as application Serial No. 09/538,038 and was amended on _____ (if applicable). PCT FILED APPLICATION ENTERING NATIONAL STAGE was described and claimed in International Application No. _____ filed on ____ and as amended on ______. (if any). I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56. I hereby specify the following as the correspondence address to which all communications about this application are to be directed: MORGAN & FINNEGAN, L.L.P SEND CORRESPONDENCE TO: 345 Park Avenue New York, N.Y. 10154 DIRECT TELEPHONE CALLS TO: (212) 758-4800 [] I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed: [] The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration. Priority Application Date of filing Date of Issue Claimed (day, month, yr) (day, month, yr) Number__ Country/PCT []YES []NO

ſ] I hereby claim the benefit under 35 U.S.	. 8 119)(e	of an	v U.S.	provisional	application(s)	listed !	below.
Ł	I I HOLOUY CHAIM the benefit under 33 C.S.		~	,	,	promonum	~PP(-)	,	

Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

U.S. Serial No. 09/146,127	September 2, 1998	Pending
US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/
11		U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Harold Haidt (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. No. 43,979) and Walter G. Hanchuk Reg. No. (35,179) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

[]	I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from
	as to any action to be taken in the U.S. Patent and Trademark Office
	regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the
	U.S. attorneys and/or agents hereinabove.

Full name of first joint inventor James Beasley
Inventor's signature* Ome & Boaley 7/18/20
Residence 35 Magellan Way, Franklin Park, NJ 08823 USA
Citizenship U.S.
Post Office Address 35 Magellan Way, Franklin Park, NJ 08823 USA
Full name of second joint inventor Arthur J. Browne Inventor's signature* Residence 11 Walden Drive, Annandale, NJ 08801 USA Citizenship U.S. Post Office Address 11 Walden Drive, Annandale, NJ 08801 USA
Full name of third joint inventor Lauge Schäffer
Inventor's signature* date
Residence Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Citizenship DENMARK
Post Office Address Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Full name of fourth joint inventor Renuka Pillutla Inventor's signature* Full Paragraphic Tools Tool
Residence 10 Pope Road, Bridgewater, NJ 08807 USA
Citizenship INDIA
Post Office Address 10 Pope Road, Bridgewater, NJ 08807 USA

Full name of fifth joint inventor	akob Brandt		
Inventor's signature*			
Residence Tjoernevangen 27, 2700.	-DK Broenshoej, DENMARK	date	
Citizenship DENMARK			
Post Office Address	27, 2700-DK Broenshoej, DENMARK		
	Renee Brissette	07/18/00	
Inventor's signature* 20 DEERTOA	e Brisitte IL DRIVE, CLARKSBURG dison, New Jersey 08817, USA	date, N.J. 08510	PB.
Residence <u>2676 Wildberry Court, E</u>	dison, New Jersey 08817, USA		
Citizenship U.S.A.	RTRAL DRIVE, CLARKS	and Al T Dec	<u>~~</u> ~
	R TRAL DRIVE, CLARKS y Court, Edison, New Jersey 08817, USA	- DONG 4/10. 4. DASI	
Full name of seventh joint January inventor	ane Spetzler		
Inventor's signature*		date	
Residence Øestbanegade 41,1,t.h., 2	2100-DK Copenhagen Ø, DENMARK	date	
Citizenship DENMARK			
Post Office Address Øestbanegade	41,1,t.h., 2100-DK Copenhagen Ø, DENM	MARK	
Full name of eighth joint inventorV	Veiqing Cheng		
Inventor's signature*		date	
Residence Crowell Road, Apartmen	at 323-C, Highland Park, New Jersey 089		
Citizenship			
	Apartment 323-C, Highland Park, New J		

Full name of ninth joint inventor Søren Østergaard
Inventor's signature*
Residence Borrebyvej 21, 2700-DK Broenshoej, DENMARK
Citizenship DENMARK
Post Office Address Borrebyvej 21, 2700-DK Broenshoej, DENMARK
Full name of tenth joint inventor Wlodek S. Mandecki
Inventor's signature* date
Residence 516 Hemlock Lane, Libertyville, Illinois 60048, USA
Citizenship
Post Office Address 516 Hemlock Lane, Libertyville, Illinois 60048, USA
Full name of eleventh joint inventor Per Hertz Hansen
Inventor's signature*
Residence Nybrovej 222, 2800-DK Lyngby, DENMARK
Citizenship DENMARK
Post Office Address Nybrovej 222, 2800-DK Lyngby, DENMARK
Full name of twelfth joint inventor Mark Ravera
Inventor's signature*
Residence 579 Shunpike Road, Chatham, New Jersey 07928, USA
Citizenship
Post Office Address 579 Shunpike Road, Chatham, New Jersey 07928, USA

Full name of thirteentr	n joint inventor Ku-chuan risiao		
Inventor's signature*	12 de 74	7-19-2000	— h.
	over Road, Edison, New Jersey 08820, USA	451 Milano Dr. Eastor	1, PA 1805
Citizenship U.S	. A.		
Post Office Address	5 Wendover Road, Edison, New Jersey 088	20, USA 451 Milano Dr.	Easton PA
	IS/ARE ADDED PAGE(S) TO COMBINED		180%.

- * Before signing this declaration, each person signing must:
 - 1. Review the declaration and verify the correctness of all information therein; and
 - Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, § 1.56

Duty to disclose information material to patentability.

- A patent by its very nature is affect with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application,

and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
 - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate field more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior an only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it pertains, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of he actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM:COMB-DEC.NY Rev. 5/21/98

COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

sought on the inv				•
INSULIN AND	IGF-1 RECEPTOR AGONIS	STS AND ANTAGON	ISTS	
the specification	of which			
a. []	is attached hereto			
b. [x]	was filed on March 29, 200	0 as application Serial (if applicable).	No. <u>09/538,038</u> and was a	mended on
	PCT FILED APPLIC	ATION ENTERING N	IATIONAL STAGE	
c. []	was described and claimed and as amended on	in International Applic . (if any)	ation No fil	led on
I hereby state that the claims, as am	at I have reviewed and understended by any amendment re	stand the contents of the ferred to above.	e above-identified specific	eation, including
I acknowledge th of Federal Regul	ne duty to disclose informatio ations, § 1.56.	n which is material to	the patentability as defined	d in Title 37, Code
I hereby specify are to be directed	the following as the correspo	ndence address to which	ch all communications abo	out this application
SEND (CORRESPONDENCE TO:	MORGAN & FINI 345 Park Avenue New York, N.Y. 1		
DIREC	Γ TELEPHONE CALLS TO	: (212) 758-4800		
§ 365(b) of any f international app identified below application(s) file	reby claim foreign priority be oreign application(s) for pate lication(s) designating at leas such foreign application(s) for ed by me on the same subject to on which priority is claimed	ent or inventor's certification country other that or patent or inventor's at matter having a filing	cate or under § 365(a) of a an the U.S. listed below an certificate or such PCT int	ny PCT id also have ternational
[] The this declaration.	attached 35 U.S.C. § 119 cla	nim for priority for the	application(s) listed below	v forms a part of
Country/PCT	Application Number	Date of filing (day, month, yr)	Date of Issue (day, month, yr)	Priority <u>Claimed</u>
				[]YES []NO

[] I hereby claim the b	enefit under 35 U.S.C. §	119(e) of any U.S.	. provisional	application(s)	listed below.
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Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

U.S. Serial No. 09/146,127	September 2, 1998	Pending
US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/
SS/1 S114FF	G	U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Harold Haidt (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. No. 43,979) and Walter G. Hanchuk Reg. No. (35,179) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

[]	I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from		
	as to any action to be taken in the U.S. Patent and Trademark Office		
	regarding this application without direct communication between the U.S. attorneys and/or agents and		
	me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the		
	U.S. attorneys and/or agents hereinabove.		

Full name of first joint inventor James Beasley
Inventor's signature*
Residence 35 Magellan Way, Franklin Park, NJ 08823 USA
Citizenship U.S.
Post Office Address 35 Magellan Way, Franklin Park, NJ 08823 USA
Full name of second joint inventor Arthur J. Blume
Inventor's signature*
Residence 11 Walden Drive, Annandale, NJ 08801 USA
Citizenship U.S.
Post Office Address 11 Walden Drive, Annandale, NJ 08801 USA
Full name of third joint inventor Lauge Schäffer
Inventor's signature* July 21 st. 7000
Residence Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Citizenship DENMARK
Post Office Address Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Full name of fourth joint inventor Renuka Pillutla
Inventor's signature* date
Residence 10 Pope Road, Bridgewater, NJ 08807 USA
Citizenship INDIA
Post Office Address 10 Pope Road, Bridgewater, NJ 08807 USA

Full name of fifth joint inventor Jakob Brandt
Inventor's signature* Multi-Branch Branch
Residence Tjoernevangen 27, 2700-DK Broenshoej, DENMARK
Citizenship DENMARK
Post Office Address
Full name of sixth joint inventor Renee Brissette
Inventor's signature*
Residence 2676 Wildberry Court, Edison, New Jersey 08817, USA
Citizenship
Post Office Address 2676 Wildberry Court, Edison, New Jersey 08817, USA
Full name of seventh joint Jane Spetzler inventor Jane Spetzler
Inventor's signature* 2// 7 2
Residence Øestbanegade 41,1,t.h., 2100-DK Copenhagen Ø, DENMARK
Citizenship DENMARK
Post Office Address Øestbanegade 41,1,t.h., 2100-DK Copenhagen Ø, DENMARK
Full name of eighth joint inventor Weiqing Cheng
Inventor's signature*
Residence Crowell Road, Apartment 323-C, Highland Park, New Jersey 08904, USA
Citizenship
Post Office Address Crowell Road Apartment 323-C. Highland Park, New Jersey 08904, USA

Full name of ninth joint inventor Søren Østergaard				
Inventor's signature* Symm ofstrage and 2/-07-2000				
Residence Borrebyvej 21, 2700-DK Broenshoej, DENMARK				
Citizenship DENMARK				
Post Office Address Borrebyvej 21, 2700-DK Broenshoej, DENMARK				
Full name of tenth joint inventor Wlodek S. Mandecki				
Inventor's signature* date				
Residence 516 Hemlock Lane, Libertyville, Illinois 60048, USA				
Citizenship				
Post Office Address 516 Hemlock Lane, Libertyville, Illinois 60048, USA				
Full name of eleventh joint inventor Per Hertz Hansen				
Inventor's signature* Residence Nybrovej 222, 2800-DK Lyngby, DENMARK date ### date				
Residence Nybrovej 222, 2800-DK Lyngby, DENMARK 8/8-2000				
Citizenship DENMARK				
Post Office Address Nybrovej 222, 2800-DK Lyngby, DENMARK				
Full name of twelfth joint inventor Mark Ravera				
Inventor's signature* date				
Residence 579 Shunpike Road, Chatham, New Jersey 07928, USA				
Citizenship				
Post Office Address 579 Shunpike Road, Chatham, New Jersey 07928, USA				

Full name of	f thirteenth joint inventor	Ku-chuan Hsiao	
Inventor's si	ignature*		date
Residence	5 Wendover Road, Edison,	New Jersey 08820, USA	date
Citizenship			
Post Office	Address 5 Wendover Roa	ad, Edison, New Jersey 08820, USA	· .
[] AT	TACHED IS/ARE ADDED TORNEY FORM FOR SIG	PAGE(S) TO COMBINED DECLAR NATURE BY FOURTH AND SUBSI	ATION AND POWER OF EQUENT INVENTORS

- * Before signing this declaration, each person signing must:
 - 1. Review the declaration and verify the correctness of all information therein; and
 - 2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, § 1.56

Duty to disclose information material to patentability.

- A patent by its very nature is affect with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
 - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate field more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it pertains, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of he actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM:COMB-DEC.NY Rev. 5/21/98

COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

sought on the invention entitled:				
INSULIN AND	IGF-1 RECEPTOR AGONIS	STS AND ANTAGON	ISTS	
the specification	of which			
a. []	is attached hereto			
b. [x]	was filed on March 29, 200		No. <u>09/538,038</u> and was ame	ended on
	PCT FILED APPLIC	ATION ENTERING N	NATIONAL STAGE	
c. []	was described and claimed and as amended on		ation No filed	l on
	t I have reviewed and unders ended by any amendment re		e above-identified specificat	ion, including
I acknowledge th of Federal Regul		n which is material to	the patentability as defined in	n Title 37, Code
I hereby specify tare to be directed		ndence address to which	ch all communications about	this application
SEND (CORRESPONDENCE TO:	MORGAN & FINI 345 Park Avenue New York, N.Y. 1		
DIRECT	T TELEPHONE CALLS TO	: (212) 758-4800		
§ 365(b) of any finternational applications application(s) file	oreign application(s) for pate lication(s) designating at leas such foreign application(s) for	ent or inventor's certifications one country other that or patent or inventor's of matter having a filing	United States Code § 119(a) cate or under § 365(a) of any in the U.S. listed below and a certificate or such PCT intendate within twelve (12) mor	PCT also have national
[] The this declaration.	attached 35 U.S.C. § 119 cla	nim for priority for the	application(s) listed below for	orms a part of
Country/PCT	Application Number	Date of filing (day, month, yr)	Date of Issue (day, month, yr)	Priority <u>Claimed</u>
				[]YES []NO



[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

U.S. Serial No. 09/146,127	September 2, 1998	Pending
US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/
••	-	U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Harold Haidt (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. No. 43,979) and Walter G. Hanchuk Reg. No. (35,179) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

[]	I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from		
	as to any action to be taken in the U.S. Patent and Trademark Office		
	regarding this application without direct communication between the U.S. attorneys and/or agents and		
	me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the		
	U.S. attorneys and/or agents hereinabove.		

Full name of first joint inventor James Beasley
Inventor's signature*
Residence 35 Magellan Way, Franklin Park, NJ 08823 USA
Citizenship U.S.
Post Office Address 35 Magellan Way, Franklin Park, NJ 08823 USA
Full name of second joint inventor Arthur J. Blume
Inventor's signature* date
Residence 11 Walden Drive, Annandale, NJ 08801 USA
Citizenship U.S.
Post Office Address 11 Walden Drive, Annandale, NJ 08801 USA
Full name of third joint inventor Lauge Schäffer
Inventor's signature*
Residence Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Citizenship DENMARK
Post Office Address Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Full name of fourth joint inventor Renuka Pillutla
Inventor's signature*
Residence 10 Pope Road, Bridgewater, NJ 08807 USA
Citizenship INDIA
Post Office Address 10 Pope Road, Bridgewater, NJ 08807 USA

Full name of fifth joint inventor Jakob Brandt
Inventor's signature*
Residence Tjoernevangen 27, 2700-DK Broenshoej, DENMARK
Citizenship DENMARK
Post Office Address
Full name of sixth joint inventor Renee Brissette
Inventor's signature*
Residence 2676 Wildberry Court, Edison, New Jersey 08817, USA
Citizenship
Post Office Address 2676 Wildberry Court, Edison, New Jersey 08817, USA
Full name of seventh joint Jane Spetzler inventor
Inventor's signature*
Residence Øestbanegade 41,1,t.h., 2100-DK Copenhagen Ø, DENMARK
Citizenship DENMARK
Post Office Address
Full name of eighth joint inventor Weiqing Cheng
Inventor's signature*
date Residence 87 Tennyson Drive, Plainsboro, New Jersey 08536, USA
Citizenship
Post Office Address 87 Tennyson Drive, Plainsboro, New Jersey, 08536, USA

Full name of ninth joint inventor Søren Østergaard
Inventor's signature*
Residence Borrebyvej 21, 2700-DK Broenshoej, DENMARK
Citizenship DENMARK
Post Office Address Borrebyvej 21, 2700-DK Broenshoej, DENMARK
Full name of tenth joint inventor Wlodek S. Mandecki
Inventor's signature*
date Residence c/o PharmaSeq, 11 Deer Drive, Monmouth Junction, New Jersey 08852, USA
Citizenship
Post Office Address c/o PharmaSeq, 11 Deer Drive, Monmouth Junction, New Jersey 08852, USA
Full name of eleventh joint inventor Per Hertz Hansen
Inventor's signature*
Residence Nybrovej 222, 2800-DK Lyngby, DENMARK
Citizanchin DENMARK
Post Office Address Nybrovej 222, 2800-DK Lyngby, DENMARK
Full name of twelfth joint inventor Mark Ravera
Inventor's signature* date
Residence 579 Shunpike Road, Chatham, New Jersey 07928, USA
Citizenship U.S.
Post Office Address 579 Shunpike Road, Chatham, New Jersey 07928, USA

Full name of thirteenth joint inventor Ku-	chuan Hsiao
Inventor's signature*	
	date
Residence 5 Wendover Road, Edison, New	Jersey 08820, USA
Citizenship	
Post Office Address 5 Wendover Road, Edi	son, New Jersey 08820, USA

- [] ATTACHED IS/ARE ADDED PAGE(S) TO COMBINED DECLARATION AND POWER OF ATTORNEY FORM FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS
- * Before signing this declaration, each person signing must:
 - 1. Review the declaration and verify the correctness of all information therein; and
 - 2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, § 1.56

Duty to disclose information material to patentability.

- A patent by its very nature is affect with a public interest. The public interest is best served, (a) and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
 - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate field more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it pertains, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of he actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM:COMB-DEC.NY Rev. 5/21/98

COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

inventor (if plur	ne original, first and sole in al names are listed below) vention entitled:	nventor (if only one name it of the subject matter which	s listed below) or an origina h is claimed and for which a	al, first and joint a patent is
INSULIN AND	IGF-1 RECEPTOR AGC	NISTS AND ANTAGON	ISTS	
the specification	of which			
a. []	is attached hereto			
b. [x]	was filed on March 29, 2000 as application Serial No. 09/538,038 and was amended on (if applicable).			
	PCT FILED APP	LICATION ENTERING N	ATIONAL STAGE	
c. []		ned in International Application	ation No filed	d on
	at I have reviewed and un		e above-identified specificat	ion, including
I acknowledge the of Federal Regular		ation which is material to t	he patentability as defined i	n Title 37, Code
I hereby specify are to be directed		spondence address to whic	h all communications about	this application
SEND	CORRESPONDENCE TO	D: MORGAN & FINN 345 Park Avenue New York, N.Y. 1	·	
DIREC	T TELEPHONE CALLS	TO: (212) 758-4800		
§ 365(b) of any international appidentified below application(s) fil	foreign application(s) for polication(s) designating at such foreign application(s)	patent or inventor's certific least one country other that s) for patent or inventor's c ject matter having a filing	United States Code § 119(a) rate or under § 365(a) of any in the U.S. listed below and certificate or such PCT interdate within twelve (12) more	/ PCT also have national
[] The this declaration.	e attached 35 U.S.C. § 119	claim for priority for the	application(s) listed below f	orms a part of
Country/PCT	Application <u>Number</u>	Date of filing (day, month, yr)	Date of Issue (day, month, yr)	Priority <u>Claimed</u>
				[]YES []NO

[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

U.S. Serial No. 09/146,127	September 2, 1998	Pending
US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/
		U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Harold Haidt (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. No. 43,979) and Walter G. Hanchuk Reg. No. (35,179) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

[]	I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from
	as to any action to be taken in the U.S. Patent and Trademark Office
	regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the
	U.S. attorneys and/or agents hereinabove.

Full name of first joint inventor James Beasley
Inventor's signature*
Residence 35 Magellan Way, Franklin Park, NJ 08823 USA
Citizenship U.S.
Post Office Address 35 Magellan Way, Franklin Park, NJ 08823 USA
Full name of second joint inventor Arthur J. Blume
Inventor's signature*
Residence 11 Walden Drive, Annandale, NJ 08801 USA
Citizenship U.S.
Post Office Address 11 Walden Drive, Annandale, NJ 08801 USA
Full name of third joint inventor Lauge Schäffer
Inventor's signature*
Residence Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Citizenship DENMARK
Post Office Address Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark
Full name of fourth joint inventor Renuka Pillutla
Inventor's signature*
Residence 10 Pope Road, Bridgewater, NJ 08807 USA
Citizenship INDIA
Post Office Address 10 Pope Road, Bridgewater, NJ 08807 USA

Full name of fifth joint inventor Jakob Brandt
Inventor's signature*
Residence Tjoernevangen 27, 2700-DK Broenshoej, DENMARK
Citizenship DENMARK
Post Office Address
Full name of sixth joint inventor Renee Brissette
Inventor's signature* date
Residence 2676 Wildberry Court, Edison, New Jersey 08817, USA
Citizenship
Post Office Address 2676 Wildberry Court, Edison, New Jersey 08817, USA
Full name of seventh joint Jane Spetzler inventor
Inventor's signature*
Residence Øestbanegade 41,1,t.h., 2100-DK Copenhagen Ø, DENMARK
Citizenship DENMARK
Post Office Address Øestbanegade 41,1,t.h., 2100-DK Copenhagen Ø, DENMARK
Full name of eighth joint inventor Weiqing Cheng
Inventor's signature*
Residence 87 Tennyson Drive, Plainsboro, New Jersey 08536, USA
Citizenship
Post Office Address 97 Tennyson Drive Plainchers New Jones, 08526 USA

Full name of ninth joint inventor Søren Østergaard
Inventor's signature*
Residence Borrebyvej 21, 2700-DK Broenshoej, DENMARK
Citizenship DENMARK
Post Office Address Borrebyvej 21, 2700-DK Broenshoej, DENMARK
Full name of tenth joint inventor / Wlodak S. Mandecki
Inventor's signature* Mullilia Sept 18 2002
Residence c/o PharmaSeq, 11 Deer Drive, Monmouth Junction, New Jersey 08852, USA
ii (A
Citizenship U.S.H.
Post Office Address c/o PharmaSeq, 11 Deer Drive, Monmouth Junction, New Jersey 08852, USA
Full name of eleventh joint inventor Per Hertz Hansen
Inventor's signature*date
Residence Nybrovej 222, 2800-DK Lyngby, DENMARK
Citizenship DENMARK
Post Office Address Nybrovej 222, 2800-DK Lyngby, DENMARK
Full name of twelfth joint inventor Mark Ravera
Inventor's signature*
date Residence 579 Shunpike Road, Chatham, New Jersey 07928, USA
Post Office Address 579 Shunpike Road, Chatham, New Jersey 07928, USA

Full name of thirteenth joint inventor	Ku-chuan Hsiao	
Inventor's signature*		
	date	
Residence 5 Wendover Road, Edison,	, New Jersey 08820, USA	
Citizenship		
Post Office Address 5 Wendover Roa	id, Edison, New Jersey 08820, USA	

- [] ATTACHED IS/ARE ADDED PAGE(S) TO COMBINED DECLARATION AND POWER OF ATTORNEY FORM FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS
- * Before signing this declaration, each person signing must:
 - 1. Review the declaration and verify the correctness of all information therein; and
 - 2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, § 1.56

Duty to disclose information material to patentability.

- A patent by its very nature is affect with a public interest. The public interest is best served, (a) and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
 - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate field more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it pertains, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of he actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

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T-261 P.002/015 F-108 Docket No. 1878-4051

COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL DIVISIONAL, CONTINUATION OR CONTINUATION-IN-FART APPLICATION

As a below name inventor, I hereby declare that:

My residence, post office address and currenship are as stated below next to my name,

,		-		
l believe I am the inventor (if plurs sought on the inv	e original, first and sole invento il names are listed below) of the rention entitled:	or (if only one name is e subject matter which	listed helow) or an origina a is claumed and for which a	i, first and joint patent is
INSULIN AND	IGF-1 RECEPTOR AGONIST	S AND ANTAGONL	STS	·
the specification	of which			•
a. []	is attached hereto			
b [x]	was filed on March 29, 2000	as application Serial N _ (if applicable).	lo <u>09/535 038</u> and was am	ended on
	PCT FILED APPLICA	tion entering N.	ATIONAL STAGE	
c. []	was described and claimed in and as amended on	Internstional Applica	tion No filed	i on
I hereby state the the claims, as an	at I have reviewed and understanded by any amendment refe	and the contents of the tred to above.	above-dentified specificat	ion, including
i acknowledge ti of Federal Regu	ne dury to disclose information lations, § 1 56.	which is material to t	he pater:tability as defined i	n Title 37, Code
l hereby specify are to be directed	the following as the correspond:	dence address to whic	h all communications abou	this application
SEND	Correspondence to:	MORGAN & FINN 345 Park Avenue New York, N.Y. 10		
DIREC	T TELEPHONE CALLS TO:	(212) 758-4800	,	
§ 365(b) of any international application(a) file application of the application	ereby claim foreign priority ber foreign application(s) for paten plication(s) designating at least such foreign application(s) for led by me on the same subject to on which priority is claimed: e attached 35 U.S.C. § 119 claimed	t or inventor's certific one country other that patent or inventor's c matter having a filing	ate or under § 365(a) of any name of the U.S. listed below and sertificate or such PCT interdate within twelve (12) mo	y PCT also have mational nths before that
Country/PCT	Application Number	Date of filing (day, month, yr)	Late of Issue (d:y_nonth, yr)	Priority Claimed
		·		ILYES I INO

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T-261 P. 004/016 F-109 Docket No. <u>1878-4051</u>

Full name of first joint inventor James Beasley	
Inventor's signature	date
Residence 35 Magellan Way, Franklin Park, NJ 08823 USA	
Cirizenship U.S.	
Post Office Address 35 Magellan Way, Franklin Park, NJ 08823 USA	
Full name of second joint inventor Arthur J. Blume	
Inventor's signature*	duic
Residence 11 Walden Drive, Annandale, NJ 08801 USA	
Citizenship U.S.	
Post Office Address 11 Walden Drive, Annandale. NJ 08801 USA	
Full name of third joint inventor Lauge Schäffer	
Inventor's signature*	date
Residence Hornemansgade 12,1,2100-DK Copenhagen Ø, Denmark	
Cinzenship DENMARK	
Post Office Address Hornemansgade 12,1,2100-DK Copenhagen O, Deng	nark
Full name of fourth joint inventor Renuks Pilluria	
Inventor's signature	daze
Residence 10 Pope Road, Bridgewater, NJ 08807 USA	-
Citizenship INDIA	
Post Office Address 10 Pope Road, Bridgewater, NJ 08807 USA	

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T-261 P.003/015 F-108 Docket No. 1878-4051

[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION DR CONTINUATION-IN-PART OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

U.S. Senal No. 09/146,127

September 2, 1998

US/PCT Application Serial No.

Filing Date

Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35. United States Code, § 112, tacknowledge the duty to disolose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Ir sprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement, may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following anorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to wansact all business in the Patent and Trademark Office connected therewith: John A. Dinz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P Ewert (Reg. No. 19,887), David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Duiley (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28, 287), James W. Gould (Reg. No. 28, 859), Richard C. Komson (Rrg. No. 27, 913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Hurold Haidt (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. No. 43,979) and Walter G. Hanchuk Reg. No. (35,179) of Morgan & Finnegan, L.L.P. whose address 1:1: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow [] instructions from

as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions thay be taken I will so notify the U.S. anomeys and/or agents hereinabove.

Sep-22-2000 01:47pm - From-MORGAN & (EG LLP

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T-261 P.005/015 F-108 Docket No. 1878-4051

Full name of fifth joint inventor Jakob Brand:	
Inventor's signature*	date
Residence Tjoernevangen 27, 2700-DK Broenshoej, DENMARK	UAIC
Citizenship DENMARK	
Post Office Address Tjoernevangen 27, 2700-DK Broenshoej, DENMARIC	
Full name of sixth joint inventor Rence Brissette	
Inventor's signature*	date
Residence 2676 Wildberry Court, Edison, New Jersey 08817, USA	
Citizenship Company Open Fallow New Japany Open 7 115	
Post Office Address 2676 Wildberry Court, Edison, New Jersey 08817, US	P
Full name of seventh joint Jane Spetzler inventor	
Inventor's signature*	date
Residence Desibanegade 41,1,th, 2100-DK Copenhagen 0, DENMARK	
Citizenship DENMARK	
Post Office Address Oestbunegade 41,1,rh., 2100-DK Copenhagen O, Dish	MARK
	•
Full name of eighth joint inventor Weiging Cheng	001/.2
Residence 87 Tennyson Drive, Plainsboro, New Jersey 08536, USA	09/22/00 date
Cinzenship	
Post Office Address 87 Tennyson Drive, Plainsboro, New Jersey 08536, U	SA

Sep-22-2000 01:47pm - From-MORGAN & . .4EG

+2127518848

T-261 P.006/016 F-108
Docket No 1878-4051

full name of ninth joint inventor Søren Østergaard	
nventor's signature.	date
Residence Borrebyvej 21, 2700-DK Broenshoej, DENMARK	topation the state of the state
Citizenship DENMARK	
Post Office Address Borrebyvej 21, 2700-DK Broenshoej, DENMARK	
Full name of tenth joint inventor Wlodek S. Mandecki	
nventor's signature*	date
Residence c/o PharmaSeq, 11 Deer Drive, Monmouth Junction, New Jersey	08852, USA
Cinzenship	
Post Office Addressc/o PharmaSeq, 11 Deer Drive, Monmouth Junction, N	w Jersey 08852, USA
Full name of eleventh joint inventor Per Herrz Hansen	
Residence Nybrovej 222, 2800-DK Lyngby, DENMARK	date
Crizenship DENMARK	
Post Office Address Nybrovej 222, 2800-DK Lyngby, DENMARK	
Full name of twelfth joint inventor Mark Ravera	
inventor's signature*	date
Residence 579 Shunpike Road, Chatham, New Jersey 07928, USA	
Citizenship	
Past Office Address 579 Shunpike Road, Chatham, New Jersey 07928, US	A

T-261 P.007/015 F-108 Docket No. 1878-4051

Full name of thirteenth joint inventor Ku-chuan Hsiao	
Residence 5 Wendover Road, Edison, New Jersey 08820, USA	date
Citizenship	
Post Office Address 5 Wendover Road, Edison, New Jersey 08820, USA	

- ATTACHED IS/ARE ADDED PAGE(S) TO COMBINED DECLARATION AND POWER OF ATTORNEY FORM FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS []
- Before signing this declaration, each person signing must:
 - Review the declaration and verify the correctness of all information therein; and 1.
 - Review the specification and the claims, including any amendments made to the claims. 2.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertment to the declaration attached to the accompanying application:

Title 37. Code of Federal Regulation & 1.56

Duty to disclose information material to patentability.

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T-261 P.008/015 F-108 Docket No 1878-4051

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained crerein is disclosed to the Office.

Title 35 U.S. Code & 161

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code & 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
 - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, if was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate field more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this rule before the invention thereof by the applicant for patent, or
 - (i) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invertion there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code 6 103

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T-281 P.009/015 F-108

Docket No. 1878-4051

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person of subject to an obligation of assignment to the same person.

Title 35 IIS Code \$ 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it persuns, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35 U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

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Tirle 35 U.S. Code & 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

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If you have any questions, please contact Morgan & Finnegan, L.L.P.

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